

REMARKS

By this amendment Claims 1-26 and 28-76 are in the application. Reconsideration of the patentability of the claims is respectfully requested in view of the following remarks.

In order to reduce issues for appeal, applicant has amended the claims to remove the term "without RF transmission capability over a two-way paging network". This should eliminate any rejections or objections under 35 U.S.C. §112. However, the Examiner's attention is directed to the prior art of record in this application which makes it clear that the term "one-way paging unit" would be well understood to convey an understanding that a one-way paging unit inherently is without RF transmission capability to respond over a two-way paging network.

Claim 1 as now amended is directed to a paging system for providing page messages to radio receiving paging units over a wide area through a plurality of page message transmission systems. Each of the transmission systems are operative for sending periodically a system message which identifies the transmission system to distinguish the transmission system from other transmission systems in the paging system. One or more of the paging units in the system are one-way paging units. Each of the paging units includes a memory storing information representing the current registered transmission system for the paging unit. A respective paging unit controller determines when the paging unit receives at least one of the system messages sent by one of the transmission systems that is different from the current transmission system registered to the paging unit. The paging system includes sending means for sending to a system controller information identifying this different transmission system. The system controller has an updating means, responsive to the sending means, for updating the registration of the paging unit in a routing database to one of the transmission systems different from the current transmission system. Information is then sent to the paging unit, via one of the transmission systems, representing the updated transmission system registered to the paging unit.

It is submitted that Claim 1 is nonobvious over the combination of Sakamoto et al. taken with Gaulke et al. Sakamoto et al. is directed to a mobile phone communication system having plural cells for presenting communication service to plural mobile phones. Associated with each phone is a paging unit having the limited purpose of transmission of messages instructing the user to turn the mobile phone on for receipt of a call that is being routed to a

base station that is located within a cell currently registered to the mobile phone. The last call to the mobile phone from a base station determines the current registration of the mobile phone and this current registration is stored in a memory of the base station. There is no indication in Sakamoto et al. of the mobile phone having a memory nor is there any indication of the paging unit having a memory. In the Office Action the Examiner notes on Page 6 that with regard to Claim 2 that Sakamoto discloses a system wherein each of the paging units has memory storing the information representing the registered transmission system of the paging unit and updates the memory of the paging unit in accordance with information representing the updated transmission system received from the controller. The Examiner then makes reference to column 22, lines 29-38 of Sakamoto et al. It is noted that at that location of the disclosure of Sakamoto et al. as well as at several others that Sakamoto et al. consistently refers to memory of registration being stored in the base station and not in the mobile phone or paging device. The reason for this major difference between the type of system disclosed by Sakamoto et al. and the problem faced by applicant is that Sakamoto et al. is dealing with a two-way communication system wherein the current registration is changed by direct communication with the mobile device and the last base station it has communication with. However, in applicant's system wherein at least some of the paging units are one-way paging units they are inherently incapable of immediately communicating via a radio communication back with the transmission system sending the message. The claimed invention thereby provides a solution for updating registration where the paging unit has no integrated return path available for communication. There is thus a problem that has developed with regard to one-way paging devices as the user travels and does not appreciate that he/she has roamed outside of an area covered by his/her registered transmission system. Indeed applicant's invention is useful where no cell phone service is even available.

With regard to Gaulke et al. the disclosure thereof is like Sakamoto et al. directed to a wireless radiotelephone system. Like Sakamoto et al. a pager is associated with the radiotelephone. The limited purpose of the pager in Gaulke et al. is to receive a code to direct the pager to turn the phone on or to turn it off. There is no teaching in this reference either that the phone or the pager unit includes memory for storing registration information. Rather, and like Sakamoto et al., the disclosure of Gaulke et al. appears to also teach that registration is with at least the base unit, if not the central unit, as is more appropriate for an exclusively two-

way direct communication system. The Examiner has cited various paragraphs of Gaulke et al. as disclosing registration of the mobile unit. In each instance the registration is initiated with the phone call from the radiotelephone. Indeed, the underlying assumption of Gaulke et al. is that all the pager units will always be within range of the single paging transmitter for receiving paging communications therefrom whereas the radiotelephones have a more area limited range. Gaulke et al. does even not deal with the problem solved by the claimed invention of enabling pager units to receive pages from different ones of multiple transmission systems over a wide area. Therefore, it is not seen why one of ordinary skill in the art would even be motivated to consider Gaulke et al. as being relevant to the problem of maintaining communications with a pager unit through a wide-area paging system wherein at least some of the pager units are one-way devices. When the problem is presented as such it appears that Gaulke et al. teaches away from consideration of the problem and its solution. The reason for this is that Gaulke et al. assumes that there is no problem in communicating with the pager unit from a central paging transmitter. It is thus respectfully submitted that Claim 1 and claims dependent therefrom are patentable and nonobvious over the combination of Sakamoto et al. taken with Gaulke et al.

The Examiner is respectfully reminded that it is the Examiner who bears the initial burden, on review of the prior art or any other ground, of presenting a prima facie case of unpatentability. If the examination and the initial stage does not produce a prima facie case of unpatentability then without more the applicant is entitled to grant of the patent, see in this regard In re Oetiker et al., 24 USPQ 2d 1443-4 (Fed. Cir. 1992). Furthermore, and case law makes it clear, that the best defense against the sole, but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirements for a showing of the teaching or motivation to combine prior art references. It is submitted respectfully as has been shown with regard to Claim 1 and will be shown below with regard to the other claims that the Examiner has failed to show that there has been a rigorous application of this requirement in combining of the references.

Claim 2 is dependent upon Claim 1 and adds the feature that the paging unit controller is operative to update the memory of the paging unit in accordance with the information representing the updated transmission system. As noted above neither Sakamoto et al. nor Gaulke et al. discloses the feature of having the paging unit controller itself storing information

regarding its updated registration.

Claim 3 is a dependent claim of Claim 1 and adds the feature that the updating means of the system controller updates the registration to another transmission system having approximately the same coverage area as the transmission system identified by the information from the sending means. It is submitted that this too is nonobvious in that it provides the advantage of balancing the system loads of the various transmission system but represents a changing of the current registration to a different registration and different from the one from which the paging unit is currently receiving transmissions from. The Examiner has cited no prior art that is pertinent to this feature. The Examiner has merely pointed to the fact that Sakamoto et al. discloses storing current registration information in the base station and that this can change, however there is no teaching in this reference or any other references cited by the Examiner of balancing the load of the various transmission systems in accordance with the subject matter claim of Claim 3. It is submitted therefore that Claim 3 is also patentable over the prior art.

Claim 5 is a dependent claim and adds the feature that an identifier for a transmission system includes a unique identifier identifying in coded form the transmission system and identifying in coded form a frequency of transmission of the transmission system. The Examiner has referred to various portions of Sakamoto et al. and it is acknowledged that Sakamoto et al. discloses a method for the mobile phone stations to distinguish between transmission systems in accordance with strength of signal based on different frequencies of transmission. Firstly, it should be noted that it is the two-way mobile stations that are used for this purpose and not the paging units. Secondly, it is the signal strength itself and not an identifier in coded form identifying a frequency that is employed. It is submitted therefore that Claim 5 and Claims 6 and 8 which are dependent from Claim 5 are also not rendered obvious and are thus patentable over the prior art.

Claim 9 is a dependent claim of Claim 1 and adds the feature that some of the transmission systems have approximately the same coverage area and that these operate on different transmission frequencies. Additionally, at least one transmission system in each of plural coverage areas in the wide area operates for transmission of system messages on a common frequency that is common to operation of at least one transmission system in other of the plural coverage areas. It is noted that Sakamoto et al. provides no disclosure with reference

to frequency of transmission of the page messages or system messages to the paging units. The reference to frequency in Sakamoto et al. is merely directed to different frequencies of transmission by the base stations for transmitting signals to the mobile phones and with regard to base stations not having approximately the same coverage area. There is furthermore no disclosure in Sakamoto et al. or in Gaulke et al. of providing transmission systems to the paging units that have approximately the same coverage area and which operate on different frequencies. For these reasons it is submitted that Claim 9 and Claim 10, which is dependent from Claim 9, are patentable over the combination of Sakamoto et al. and Gaulke et al.

Claim 13 is a dependent claim of Claim 1 and adds the feature of a means for recording one or more time periods in the memory of the paging unit when the paging unit is operative to receive but does not receive within a predefined interval the system message of the transmission system to which the paging unit is currently registered. The Examiner notes that Sakamoto et al. discloses that each of the paging units further comprises a memory storing an ID of the paging unit. However, as noted above, there is no disclosure in Sakamoto et al. of a memory but instead the disclosure is with regard to a memory that is associated with either a base station or a central station that stores information regarding registration. Furthermore, the registration is with regard to the mobile phone and not of the paging units and as noted above the mobile phone represents a strictly two-way communication system wherein requests are immediately directed for registration upon turning the unit on. The Examiner, however, recognizes the deficiency with regard to the combination of Sakamoto et al. with Gaulke et al. when it comes to Claim 13. In further citing Neustein the Examiner notes that Neustein discloses in the art of paging systems memory and means for recording one or more time periods in the memory of the paging unit when the reception of the page messages is unlikely. Firstly, there is no disclosure in Neustein of a memory for storing time information. There is only disclosure that there is a timer within the paging unit for turning the paging unit on at predetermined times, such as for three seconds in every five minutes, for receipt of page messages. This may be accomplished without a memory but with a timing device. The purpose of this in Neustein is to preserve battery life. Secondly, there is no disclosure of a means for recording periods in the memory of the paging unit when the paging unit is operative to receive but is not receiving within a predefined interval the system message of the transmission system to which the paging unit is currently registered. The fact that Neustein

discloses time synchronization with a transmission system is quite different from disclosure of the subject matter of Claim 13 which is directed to a means for recording a time of nonreceipt of the system message which it is operative to receive. This is an important feature as it allows for the retransmission of page messages which have not been received due to the paging unit being out of range. It is noted that none of the prior art cited by the Examiner suggests the claimed feature and the advantages which follow therefrom. For this reason it is submitted that Claim 13 and Claims 14-17 which are dependent therefrom are patentable over the combination of Sakamoto et al. taken with Gaulke et al. and further in view of Neustein.

Claim 25 is a dependent claim of Claim 1 and adds the feature that each of the transmission systems further sends in a system message information representing a telephone number for use in communicating with the system controller. The Examiner refers to Sakamoto et al. as disclosing this feature because there is reference to a telephones being associated with a controller. However, nowhere in this reference is there disclosure of the feature that a transmission system sends a system message having information representing a telephone number. It is thus respectfully submitted that Claim 25 and Claim 26 which depends therefrom are patentable over the prior art.

Claim 32 is a dependent claim of Claim 31 which in turn is a dependent claim of Claim 1. Claim 32 stands rejected as being unpatentable over the combination of Sakamoto et al. in view of Gaulke et al. and further in view of Dowens et al. Sakamoto et al. has been discussed in detail and as noted above teaches of a mobile phone system wherein there is associated with each phone a paging unit having the limited purpose of transmission of messages instructing the user to turn the mobile phone on for receipt of a call that is being routed to a base station that is located within the cell currently registered to the mobile phone. There is no indication in Sakamoto et al. of the paging unit having a memory. In Sakamoto et al. the last call to the mobile phone from a base station determines the current registration of the mobile phone and this current registration is stored in a memory of the base station. It is also discussed in detail above that Gaulke et al. discloses a pager which also has a limited purpose of turning the phone on or off. There is no teaching in this reference of the paging unit including a memory for storing registration information. The Examiner has cited Dowens et al. for the limited disclosure of a pager with pushbuttons for sending messages. However, it is noted that the disclosure in this reference of pushbuttons is with regard to a two-way pager unit and thus the

combination of these three references fails to consider the problem faced by applicant of having a paging system that includes at least some one-way paging units and the problem of identification and control when the paging units are moved over a wide area through a plurality of page message transmission systems wherein each of the transmission systems are associated with a predetermined coverage area. Not only is the problem not considered by this combination of references with regard to paging units but the solution is not even hinted at. It is submitted therefore that this combination of references fails to establish a prima facie case of obviousness.

Claim 39 is a dependent claim of Claim 1 and adds the feature wherein information in each of the system messages includes a regional identifier in coded form and a frequency identifier in coded form which represents a frequency at which the transmission system operates for transmitting page messages. As noted with regard to the remarks concerning Claim 5 this is not a feature suggested or taught by Sakamoto et al. or the other prior art of record. New Claim 62 is dependent on Claim 39 and includes language removed from Claim 39.

Claim 43 is a dependent claim of Claim 1 and adds the feature that each of the paging units is controlled so that when operative to receive but not receiving the system message from the transmission system to which the paging unit is registered within a predefined interval the paging unit enters a no service state until one of the system messages from the transmission system to which the paging unit is registered is again received. In addition this claim includes the feature that the paging unit receives from the system controller information identifying the updated transmission system registered to the paging unit. As noted above, Neustein is directed to a paging unit that is programmed to enter a nonoperative state at predetermined times based on the timing device within the paging unit for purposes of saving battery energy. There is no disclosure in Neustein of entering the no service state upon failure to receive a periodic system message. Furthermore, there is no disclosure in Sakamoto et al., Gaulke et al. or Neustein of the concept of notifying the paging unit of its updated registration.

Claim 44 is a dependent claim of Claim 43 and adds the feature that each paging units further comprises means for recording one or more time periods in an array in the memory in accordance with the time source when the paging unit is in the no service state. As indicated above none of the references relied upon by the Examiner disclose use of a memory associated

with the paging unit for storing time information. While the Examiner has noted that Neustein discloses a paging unit that turns on automatically for a few seconds every five minutes to receive page messages this as noted above is done not in accordance with a memory or a means for recording time periods in the no service state within the memory but instead by a timing device which turns the paging unit on and off. The Examiner is respectfully reminded that it is the Examiner who bears the initial burden for establishing unpatentability and must give consideration to each term of the claim. It is submitted that the Examiner has failed to establish even a prima facie case of unpatentability of Claim 44.

Claim 45 is dependent claim of Claim 43 and adds the feature that one of the transmission systems has approximately the same coverage area as another transmission system and some of the transmission systems have different coverage areas from each other and the transmission systems having approximately the same coverage area operate on different frequencies to send paging messages and system messages. The transmission systems having different coverage areas operate on a common frequency. Each of the paging units after entering the no service state resets the frequency of reception to the common frequency. In referring to Sakamoto et al. the Examiner relies upon a particular paragraph of Sakamoto et al. that discloses use of the mobile telephone (not the paging units) having a monitoring function for recognizing when there is falloff in intensity of signal at one frequency where there is overlap between two transmission systems transmitting at different frequencies. The Examiner is again respectfully reminded that consideration must be given to each term of the claim. The limited disclosure provided by Sakamoto with regard to there being two systems having different transmission frequencies in an area where they overlap does not render obvious the claimed feature of claim 45 in its entirety. For example, there is no disclosure of transmission systems having approximately the same coverage area operating at different frequencies, since in Sakamoto et al. inherently the transmission systems referred to as having different frequencies must have different coverage areas because a signal falloff is the only way for detection that a reregistration is needed. Thus it may be more accurately be said that Sakamoto et al. teaches away from the subject matter of Claim 45. For this reason it is respectfully submitted that Claim 45 is patentable over Sakamoto et al. either taken alone or in combination with the other references cited by the Examiner.

Claim 50 is an independent claim and as now amended is directed to a paging system for providing page messages through a plurality of regional transmission systems. A system database is maintained of copies of each of the page messages routed to one more of the paging units with a time associated with a page message. A paging unit includes a memory and a paging unit controller for determining a time period or periods in which system messages were not received after a predefined interval from the transmission system to which the paging unit is registered. There is further provided means for resending from the database copies of any page messages sent to a paging unit which were routed during any of said time period or periods and which may not have been received by the paging unit during said time period or periods. As noted above there is no disclosure or suggestions in Sakamoto et al. Gaulke et al. or in Neustein of this combination of features. While Neustein discloses turning on the paging unit at predetermined times as a battery saving measure there is no indication whatsoever of the problem of missed paging messages because the control system of Neustein is synchronized to send page messages only during the period of turn on. Thus, it is respectfully submitted that Claim 50 and Claims 51-52, which are dependent from Claim 50, are patentable.

Claim 53 is an independent claim and as now amended is directed to a method for providing page messages that features a step of reregistering one of the paging units which receives a system message that includes an identifier that identifies a transmission system different from the transmission system the paging unit is registered to in accordance with a determination made through a comparison with the registration which is stored in the memory of the paging unit. The method is further characterized by the sending to the paging unit, subsequent to the system message, a message having information representing the transmission system to which the paging unit is reregistered so that this may be stored in the memory to provide an updated registration of the paging unit. As noted above, Sakamoto et al. is directed to storing of registration information in the base station and not in the mobile phone system and certainly not in the paging unit. Gaulke et al. also appears to store the registration information in the base station and not in the mobile phone nor in the paging unit. Indeed Gaulke et al. assumes the paging unit is always within range of the same paging station. Neustein is not concerned at all with registration of the paging unit being stored within the

paging unit. It is submitted therefore that the prior art also fails to render obvious the subject matter of Claim 53 and Claim 54 which is dependent from Claim 53 .

Claim 55 is an independent claim directed to a method of routing page messages to paging units through one or more transmission systems. The method is characterized by the steps of maintaining in one of the paging units one or more records of certain time periods related to possible nonreceipt of page messages transmitted to the paging unit and resending page messages to the page unit from the database messages previously sent to the paging unit having a time routed during the certain time periods. As noted above there is no suggestion or teaching in the cited prior art with regard to the applicant's noted problem of nonreceipt of messages and no suggestion of the method steps set forth in Claim 55. It is therefore submitted that Claim 55 and Claim 56 which depends therefrom are patentable over the prior art.

Claim 57 is an independent claim directed to a controller for routing messages to radio receiving paging units. The controller is characterized by a means for updating registration of the paging unit in a routing database and sending for transmission to the paging unit information representing the updated transmission system registered to the paging unit and sending to the updated transmission system for transmission to the paging unit page messages previously transmitted to the paging unit by the paging unit previously registered transmission system. Again, as noted above the prior art fails to deal with the problem of missed messages. Instead the prior art only suggests ways of avoiding missed messages by telephoning ahead when one knows that one is going to be out of range of a registered paging system. The prior art fails to deal with the issue of situations where the person with the paging unit is unaware of being out of range and has no idea of how long the paging unit has not been receptive to system messages. It is submitted that claim 57 as now amended is patentable over the prior art.

Claim 58 as now amended is directed to a one-way radio receiving paging unit that operates in a system wherein each transmission system sends a periodic message identifying the transmission system and a telephone access number for use in changing registration of the paging unit. The paging unit includes means, including a memory storing information related to the transmission system registered to the paging unit, for determining when the paging unit receives at least one of the system messages sent by one of the transmission systems different from the transmission system registered to the paging unit. The paging unit further includes means, responsive to the determining means, for providing a signal including information

corresponding to the telephone access number for use in changing registration of the one-way paging unit. As noted above Sakamoto et al. stores information about registration within the base station and not within the mobile phone or the paging unit. Gaulke et al. also fails to disclose storage of the registration information within the paging unit. Neither of these references nor the other cited prior art of record disclose or render obvious the claimed feature of Claim 58 of having the transmission system transmit a telephone access number and for the paging unit to be responsive to this telephone access number for use in changing registration of the paging unit. It is submitted therefore that Claim 58 and newly submitted dependent Claims 63 and 64 are patentable and unobvious over the prior art.

Newly submitted independent Claim 65 is directed to a method of providing page messages to a radio receiving paging unit over a plurality of regional page message transmission systems forming part of a page message delivery communications system. In particular, Claim 65 is directed to balancing the message load among regional transmission systems in a situation where a paging unit moves into an area covered by a regional transmission system and a request is provided for registration of the paging unit to this regional transmission system. In the method of Claim 65, the paging unit is provided with a registration to a respective first of the regional transmission systems in accordance with a code stored in a memory of the paging unit. The regional transmission systems periodically transmit system messages which include information identifying respectively the respective regional transmission system. A determination is made that the paging unit is receiving a system message from a regional transmission system that the paging unit is not registered to. A request is then made to change the registration of the paging unit and a second regional transmission system is identified from which the paging unit has received a system message. An updated registration of the paging unit is provided by providing an updated registration code stored in the memory of the paging unit. The updated registration code includes a regional identifying code identifying a third regional transmission system that is different than the first and second regional transmission systems. Page messages intended for transmission to the paging unit are routed from the third regional transmission system in order to balance page message delivery load of the page delivery communications system. As noted above Sakamoto et al. and Gaulke et al. do not teach that the paging unit includes a memory for storing registration information in encoded form. Additionally, there is no disclosure in the prior art of

providing for the balance of regional transmission systems by establishing a registration code stored in the memory of the paging system which identifies a regional transmission system different than the one previously registered to and different from the one that it is currently receiving system messages from. It is submitted therefore that Claim 65 is patentable and unobvious over the prior art.

Newly submitted Claim 66 is also directed to balancing the load of page message transmissions wherein in accordance with the method a plurality of regional page message regional transmission systems form part of a page message delivery communications system. In the method of Claim 66 a paging unit stores in the memory of the paging unit identification code for the respective regional transmission system to which it is registered. A determination is made that the paging unit is receiving a system message at the first frequency from a second regional transmission system that it is not registered to. In response to a request to change registration of the paging unit, an updated registration code is provided to the paging unit that includes information relative to identification of the second regional transmission system and a second frequency of transmission of messages. Page messages are then routed to the paging unit from the second regional transmission system at the second frequency in order to balance the page message delivery load of the second regional transmission system. Claim 66 is submitted to be patentable over Sakamoto et al. in combination with Gaulke et al. and the other prior art of record because the prior art does not render obvious the feature of storing registration information within the page memory and changing the registration information with regard to identification of frequency for receiving page messages so as to balance the load of the regional transmission systems.

Newly submitted independent Claim 67 is directed to method of providing page messages to radio receiving paging units over a wide area through a plurality of regional page message transmission systems. In the method of Claim 67, each of the paging units is registered to a respective one of the regional transmission systems in accordance with an identification code stored in the memory of the respective paging unit. A determination is made if the paging unit has received, within a predetermined period of time, system messages from the currently registered regional transmission system. The memory of the paging unit also stores information relative to the period or periods of nonreceipt of the system messages from the currently registered regional transmission system. Communication is provided to a

controller external to the paging unit of information relative to a period or periods of nonreceipt of these system messages. There is then newly transmitted, in accordance with the information relative to the period or periods of nonreceipt, page messages to the paging unit comprising page messages previously transmitted by the previously currently registered regional transmission system to the paging unit during the period of nonreceipt. As noted above the prior art fails to teach of a method for retransmission of page messages which have not been received. The prior art merely teaches that when one is expecting to move to a different area that one phones ahead in order to ensure that there are no missed messages transmitted while the paging unit is in the new locale. However, the prior art fails to recognize the problem of missed messages when one inadvertently moves to an area outside of range of a currently registered transmission system. It is submitted therefore that Claim 67 and Claim 68, which is dependent from Claim 67, are also patentable over the prior art.

Newly submitted independent Claim 69 is also directed to a method of providing page messages wherein there is newly transmitted to the paging unit from the transmission system, in accordance with information relative to a period of nonreceipt, page messages previously transmitted to the paging during the period of nonreceipt and not received by the paging unit during said period. As noted above this feature is not anticipated nor rendered obvious by the prior art and is thus patentable.

Newly submitted independent Claim 70 is directed to a method of distributing page messages to radio receiving paging units through a plurality of different page message transmission systems. System messages are transmitted at a predetermined frequency from each of the transmission systems which includes information of transmission system identification and radio frequency of transmission of page messages. A first transmission system transmits system messages to at least one of the paging units to identify a second transmission system and the second radio frequency of transmission by the second transmission system. The at least one of the paging units stores in memory within the paging unit information relative to the identification of the second transmission system and information relative to the identification of the second radio frequency. The paging unit is then operated so as to receive page messages from the second transmission system at the second radio frequency. While Sakamoto et al. has been identified by the Examiner as disclosing the sensing of two different frequencies from two different transmission systems it has been noted

to the Examiner that there is no teaching in this reference of storage of information within the memory of the paging unit of information identifying the transmission system and the frequency of transmission of page messages by the transmission system. The other prior art cited by the Examiner also fails to teach or render obvious the subject matter of Claim 70 and it is submitted therefore that Claim 70 and dependent claims 71-73 are also patentable over the prior art.

Newly submitted independent Claim 74 is directed to a method of operation of a paging unit for use in a wide area transmission system having a plurality of regional transmission systems each providing periodic system messages. The paging unit has a controller that is operated to determine if there is receipt by the paging unit of periodic system messages transmitted by one of the regional transmission systems. In response to a determination by the paging unit controller that there is nonreceipt of the periodic system messages for a predetermined time period or periods a signal is provided by the paging unit to identify the period or periods of nonreceipt of system messages. As noted above the prior art fails to deal with the problem of lost or nonreceived system messages by a paging unit and accounting for the period or periods of nonreceipt so that the paging unit, for example, may subsequently receive previously transmitted page messages. It is submitted therefore that Claim 74 is also patentable over the prior art.

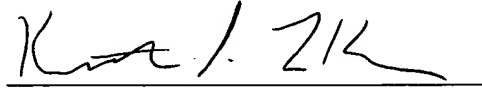
Newly submitted independent Claim 75 is directed to a paging unit for use in a wide area transmission system having a plurality of regional transmission systems each providing periodic system messages. The paging unit comprises a paging unit controller within the paging unit that is operative to determine if there is receipt by the paging unit of periodic system messages transmitted by one of the regional transmission systems and in response to a determination by the paging unit controller that there is nonreceipt of the periodic system messages for a predetermined time period or periods during which the paging unit is operative to receive the periodic system messages, the paging unit controller is operative to provide a signal to identify the period or periods of nonreceipt of system messages. For the reasons provided above it is also submitted that the prior art fails to teach or render obvious the subject matter of Claim 75 and Claim 76 which depends from Claim 75.

In view of the above amendments and remarks, it is respectfully submitted that the application is now in condition for allowance, prompt notice of which is earnestly solicited. If,

contrary to expectations, questions shall remain the Examiner is invited to call the undersigned for a telephone interview in order to advance prosecution of the application towards allowance. A petition for a two-month extension of time is enclosed with authorization to charge the required petition fee to a deposit account.

Respectfully submitted,

Dated: 6/2/04



Kenneth J. LuKacher
Attorney for Applicant(s)
Registration No. 38,539

South Winton Court
3136 Winton Road South, Suite 204
Rochester, New York 14623
Telephone: (585) 424-2670
Facsimile: (585) 424-6196

Enclosures: Combine Amendment Transmittal with Petition for Extension of Time;
Certificate of First Class Mail.